

**FEDERAL COMMUNICATIONS COMMISSION**  
**Washington, DC 20554**

**In the Matter of 2002 Biennial Regulatory Review**  
**Review of the Commission's Broadcast Ownership Rules and Other Rules**  
**Adopted Pursuant to Section 202 of the Telecommunications Act of 1996,**  
**Notice of Proposed Rulemaking, MM Docket No. 02-277, (rel. Sept. 23, 2002)**

To: The Secretary, FCC Commissioners, and Chief, Media Bureau:

I wish to comment on the soundness of the empirical research solicited by the FCC regarding the proposed relaxation of ownership regulations. These 12 studies have been available on the FCC website at <http://www.fcc.gov/ownership/studies.html>.

I have spend the last 18 years in advanced academic study in mass communication and related fields, earning a Ph.D. in Mass Communication at the University of Iowa in 1993, and teaching as an assistant professor at a number of colleges and universities for the past 11 years at both the undergraduate and graduate levels. I have also published a number of scholarly studies regarding media structure and practice.

The key issue these studies address is the nature of the relationship between media ownership and diversity.

While media ownership is quite easy to define, the major problem with these studies is the inadequate if not downright naïve conceptualization of diversity.

All of these studies define diversity as a countable feature or attribute in order to make diversity trends amenable to statistical analysis. As will be noted in more detail below, diversity is defined and counted in these studies in such ways as:

1. quantity of media outlets and owners,
2. quantity of news stories that favor a particular political candidate,
3. number of different media technologies,
4. advertising prices,
5. quantity of programs in a particular genre,
6. quantity of advertising vs. non-advertising programming,
7. program ratings,
8. quantity of different song titles,
9. quantity of distinct radio formats,
10. quantity of television networks.

The difficulty with proceeding in this way is that it puts the methodological cart before the theoretical horse. The pre-selected aim of executing a statistical analysis means that diversity can only be defined as a countable attribute or measurable quantity.

However, diversity has manifestly social, cultural, and historical dimensions, as scholars from an immense range of fields can attest to. As only one example, Lasorsa's recent review of diversity issues as they relate to theories of mass communication suggests the naïve narrowness of the above definitions when speaking about something as basically human and social as communication.<sup>1</sup> By contrast, and citing a prior study, Lasorsa identifies aspects of diversity as including "age, disability status, ethnicity, gender, political ideology, race, region of origin, religion, and sexual orientation."<sup>2</sup> One could also add occupation and socio-economic status, and a full range of others.

I urge the commission to thoroughly review these studies in light of these comments, and to solicit additional studies and commentary that address the relationships between ownership and diversity from a much broader set of perspectives and means of assessment.

## COMMENTARY ON SPECIFIC STUDIES

### Study 1 (Roberts et al.):

Diversity is defined as the number of media outlets and owners. The assumption here is that increases in the quantity of media outlets and owners equals greater diversity.

What is ignored in an assessment of structural pressures that homogenize the practice of broadcasters no matter who they are or how many there are.

### Study 2 (Pritchard):

The relationship between media ownership and diversity is operationalized as whether news stories were slanted to favor presidential candidates that were the most friendly to the financial interests of media corporations.

One problem is that, by pretending that a news story has a singular, easily identifiable "slant," this study grossly simplifies the complexity of perspectives in news stories, as has been long argued in at least 40 years' worth of studies in mass communication, close to 100 years of literary study, linguistics, and semantics.

Plainly speaking, the same artifacts can support entirely opposite conclusions. For example, witness the contradictory claims (bolstered by quantitative analyses of "slant" such as displayed in this study) that news media are controlled by a liberal elite and by a conservative elite, depending on the group doing the assessment.

### Study 3 (Waldfoegel):

Diversity here means simply different technologies, not a diversity of presentation and access.

Study 4 (Brown and Williams):

The focus here is whether ownership concentration increases the price of advertising—important, perhaps, for media owners, but entirely ignoring issues of varieties of presentation, responsiveness to local constituencies, and greater access.

Study 5 (Einstein):

This study is interested in whether prime time, broadcast network television has become more or less diverse.

The trouble is that it groups separate programs into industry genres (such as situation comedy, quiz and panel, and so on).

Such a categorization scheme attends only to format, not to content. And it certainly does not address questions of access, range of representations, or responsiveness to local constituencies.

Study 6 (Cunningham and Alexander):

Diversity is defined as the proportion of advertising vs. non-advertising content. However, the categorization scheme itself is highly arbitrary, as the neat division between the two is far fuzzier. For example, the categories do not address the degree to which many programs are themselves advertising, and increasingly so.<sup>3</sup>

Study 7 (Spavins et al.):

The relationship between media ownership and, in this case, program quality is defined in terms of program ratings and industry awards.

However, such measures operate and thus take for granted the existing choices, not possibilities. This is certainly the case for program ratings (and, even if earning ratings in as high as 20, I wonder how much a vote of quality this is if 80 percent of people in a market are not watching?).

Similarly, RTNDA and DuPont are industry awards dedicated to preserving existing standards, not in exploring new directions.

And, lastly, “local” is defined simply in terms of origination, not in terms of content, access, or responsiveness.

Study 8 (Nielsen Media Research):

Survey based on 145 respondents, expressly noted as non-representative.

Study 9 (Williams et al.):

Diversity is defined in terms of song titles, with fewer repeating songs and less overlap between the playlists of two different stations an indication of greater diversity.

The trouble with this is that it mistakes the trees for the forest. It is quite possible to have different songs but all of the same genre/category, thus actually being quite homogeneous. Also, such a study does not question the fact that the programming itself consists only of pop music, thus taking the existing use of radio for granted.

Study 10 (Bush):

Its conclusion is that market pressures encourage businesses to spread their advertising costs among many different media forms, thus working for greater diversity as defined in terms of technologies.

Yet, this study does not address at all diversity in terms of addressing local constituencies or of access.

Study 11 (Williams and Roberts):

Diversity here is assessed in terms of the number of independent owners, and the number of distinct radio formats in a market.

Although seeking valuably to assess larger structural pressures confronting the radio industry, diversity is still conceptualized in terms of discrete, countable characteristics amenable to statistical analysis, rather than in broader social, historical, and cultural terms.

Study 12 (Levy et al.):

This study takes the centralized, industrialized model of broadcasting as a given, thus evaluating its health from the perspective of business success rather than in terms of access and responsiveness to local constituencies, and diversity in social and cultural senses.

## CONCLUSION

As many people have commented in the past, quantity doesn't equal variety. A statistical analysis of the kind used in these studies only goes so far in providing an adequate understanding of the dynamic, multifaceted relationships between media ownership and diversity.

What is needed is a much more sophisticated and thorough view of this exceedingly complex relationship.

Again, I urge the commission to view these studies in light of these comments, and to solicit additional studies and commentary that address the relationships between ownership and diversity from a much broader set of perspectives and means of assessment.

#### NOTES

<sup>1</sup> Dominic L. Lasorsa, "Diversity in Mass Communication Theory Courses," *Journalism and Mass Communication Educator* 57:3 (Autumn 2002), pp. 244-259.

<sup>2</sup> Lasorsa, p. 244.

<sup>3</sup> Jane Weaver, "Marketing to a miserable economy," MSNBC News, [online] <http://www.msnbc.com/news/845781.asp>, accessed January 2, 2003.